

We even see the Sierra Club come out against wind power claiming that the windmills are some kind of Cuisinart that decimates the bird population.

What does our President propose?

It is rather interesting to reflect on where we are now because he has come almost full circle. The President hints at some vague notion of meeting our emissions targets through electricity restructuring, but he is very short on specifics. Perhaps the President is playing to the headlines today, but leaving the details to tomorrow or to the next administration.

His proposal is that we, by the year 2008 to 2011, reduce our emissions to the level of 1990. Well, where is his administration going to be by that time? So they are just putting these things off as opposed to coming up with the mechanics that will work.

There are, in fact, things that we can do in the context of energy restructuring that can help restabilize our carbon emissions. We have had some 13 hearings on this subject in my committee, the Energy Committee, and we have heard from 120 witnesses. Thus, I am prepared to suggest some of the specifics that the President has not suggested.

For example, we can provide for stranded cost recovery of the more than 100 nuclear power reactors that together provide some 22 percent of our total electric power generation.

We can provide incentives to encourage or require regions to employ a mix of carbon-free wind, solar, nuclear, or hydropower adequate to achieve a specified carbon-free emissions standard.

We can offer a means to certify the claims of power producers who wish to market their power to consumers as low-carbon or carbon-free.

And we can offer assistance for market-led investments in new research towards carbon-free or low-carbon energy.

There is no shortage of policies we can pursue if we really want to address the issue of carbon emissions. We can be encouraged about recent technology breakthroughs in fuel cell technology, wind energy, solar technologies, and advanced nuclear plant designs.

In the end, I think, Mr. President, American ingenuity, technological innovation, and common sense will produce the solutions that the U.N. negotiations thus far have been unable to provide.

Finally, Mr. President, we need to employ these new technologies to increase energy efficiency, promote conservation, and stabilize our carbon emissions—but we do not need a flawed treaty that cannot get the job done. The climate issue is serious, but so are issues of equity, economic prosperity, and pragmatism.

During the last round of negotiations at Bonn, the draft treaty got worse. It got worse, not better. As a consequence, we need to prepare ourselves and the American people for the prospect that the new treaty will be unwor-

thy of support, even if you are deeply concerned about the increase of carbon dioxide in the atmosphere, as I am. In other words, it doesn't do us any good to board a fast train, a fast train that is going in the wrong direction, particularly if all nations of the world aren't aboard.

I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. ENZI. Mr. President, on behalf of the majority leader, I ask unanimous consent the period for morning business now be extended until the hour of 1:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAST TRACK

Mr. ENZI. Mr. President, I rise to speak about the fast-track bill that is before us. I have followed the debate on this legislation very closely. I have listened to my colleagues discuss at length the issues of trade flows, foreign direct investment, the delegation of authority, and unfair trade agreements. It has been an interesting debate for this freshman Senator.

I want to share with my colleagues the feelings that my constituents have expressed to me. Many of them have deep concerns about our progress on trade. Intense import competition makes them feel as if they have been left behind in the pursuit of fair trade.

There is an issue here that is far more important to my constituents than trade, however, but it is inextricably linked to their ability to compete. While the administration vows to fight for fair trade with foreign countries, people in Wyoming want this administration to fight for fair regulation in this country. For them, fair trade will not stimulate economic growth when their growth is halted by unreasonable regulations.

It seems that there is a real disconnect in our administration's policies on economic health. While one side of the administration is promoting job growth in exports, the other side is shutting down our enterprises with overly restrictive environmental regulations.

There is an inconsistency here that is difficult to explain to people in Wyoming. They do not understand why the administration supports export growth, but allows the Environmental Protection Agency to issue and adopt regulations such as the new particulate matter and ozone standards for air quality.

How does this relate to the fast-track bill we are debating? It connects in two ways. The first issue is jobs. The purpose of the bill before us is to promote job growth—which is a good purpose and I support it. Unreasonable regulatory mandates, however, do not create jobs. Second, like fast track, environmental regulation is a delegated authority. And in my opinion, it is one

delegated authority that is out of control.

Let me first discuss what is wrong with the standards and how they will destroy jobs. They were formulated and adopted with a disturbing lack of scientific consensus; with no accountability; and with a genuine disregard for the real effects they will have on working people.

The accuracy of scientific information in the formulation of scientific rules is critical for a democracy. Democracies cannot survive without being able to rely on the precision of their scientific information. Furthermore, democracies cannot survive when bureaucracies are able to impose expensive mandates without any accountability. Democracy depends on representation along with taxation. Bureaucrats must consult with elected representatives before imposing massive costs on our citizens.

With the adoption of these unreasonable standards, the EPA and the administration have failed on both of these counts.

There are numerous examples that show a lack of scientific consensus in the promulgation of these new air quality standards. The EPA's own Clean Air Science Advisory Committee, stated that at this point, "there is no adequately articulated scientific basis for making regulatory decisions concerning a particulate matter National Ambient Air Quality Standard."

The administration's National Institute of Environmental Health Sciences dismissed the EPA's claims about the relationship between childhood asthma and air quality. They observed that the asthma rate in Philadelphia has soared even as that city's air pollution levels have plummeted. They also noted that some of the highest asthma rates in the world occur in Australia and New Zealand—two countries with excellent air quality.

Strangely enough, while the EPA is promulgating expensive rules, other agencies have been pushing for economic growth. The U.S. Trade Representative, the Department of Commerce, the Small Business administration, and the Department of Agriculture—have all advocated the importance of fast track for growth.

Even the President has emphasized the need for fast track in terms of job creation. He stressed that,

"In order for us to continue to create jobs and opportunities for our own people, and to maintain our world leadership, we have to continue to expand exports . . . We have to act now to continue [our] progress to make sure our economy will work for all the American people."

Well, I stand here to tell you that unreasonably expensive regulations will not make our economy work for all American people. Achievements in trade expansion will not overcome the excessive costs imposed by regulatory mandates.

And the costs are excessive. At first, the EPA estimated the cost would be

less than \$2.5 billion. Then, the President's own Council of Economic Advisors put the price at a considerably higher \$60 billion. I have seen estimates for the cost as high as \$150 billion. That was an amount quoted in a Senate Small Business Committee hearing we held earlier this year. I think the difference in magnitude between these estimates—\$2.5 billion and \$150 billion—deeply concerns me, and is—in and of itself—a good reason to delay the standards.

The disagreement continues. The EPA stated in its regulatory impact analysis that the rules will not have a significant effect on small businesses. But the Small Business Administration refuted that. The SBA confirmed that, "Considering the large economic impacts suggested by EPA's own analysis, [which] will unquestionably fall on tens of thousands, if not hundreds of thousands of small businesses—this would be a startling proposition to the small business community."

It will affect hundreds of thousands of small businesses. Just who are we trying to help our trade policy, Mr. President?

The U.S. Department of Agriculture also raised concerns. They highlighted that EPA's air quality standards "do not contain detailed information regarding specific effects on agriculture that may be caused by pollution or that may result from pollution controls."

American agriculture is just beginning to see what is coming down the pike with regard to clean water standards. We are now taking a close look at how the EPA will be able to enforce "total maximum daily load" guidelines on streams in my State. This is a big concern for everyone who uses water in Wyoming. And we all do.

The fact is, the unreasonable environmental regulations destroy thousands of U.S. jobs by raising input and compliance costs. In a 1996 study of regulatory costs, Thomas Hopkins of the Center for the Study of American Business, estimated that regulatory mandates already cost small businesses between \$3,000 and \$5,500 per employee. The new air quality standards will impose an enormous new cost on top of that without any verification of the benefits.

The second connection this issue has to the debate of fast track is the issue of delegated authority. Congress has a responsibility to regulate commerce with foreign nations that is derived directly from the Constitution. Fast track delegates that authority to the executive branch.

Whether one agrees with the practical need for fast track or not, no member can deny that it is a delegation of congressional responsibility. Our senior Senator from West Virginia, Senator ROBERT BYRD, is an expert historian on constitutional law and he has spoken very eloquently and persuasively about this issue and against the fast-track legislation.

I have also heard some very convincing arguments about the necessity

of fast track. The argument is made that we need a strong voice in our multilateral trade negotiations—a voice that has the authority to back up its demands. Whether that is to be believed or not, recent developments make me very reluctant to delegate that authority. I have already stated my concerns about EPA's expansive interpretations of its delegated authority—now, we face the prospect that the administration will commit to dangerously unfair commitments in the global warming treaty to be discussed in Kyoto this December.

The administration's positions on the global climate change treaty are a paramount example of politics over science. There has been no scientific consensus on this issue. There has been no proven relationship to show that the climate change treaty would have any effect on global temperatures. In fact, there isn't any proof that human intervention will make a difference.

For some reason, however, the administration seems ready to embrace an agreement that would wage economic war against our own workers. According to one independent estimate, complying with U.N. reduction targets for greenhouse gas emissions could cost this country as much as \$350 billion per year. That is nearly \$2,000 for every working American.

The result will be the loss of 5 million American jobs directly related to energy use and production and the loss of several million more jobs that are indirectly related. The jobs will simply be transferred overseas—not to countries doing a better job, countries that are doing a worse job—something that is becoming easier and easier. It will be particularly easy if developing countries like China, India, Brazil, and Mexico do not impose the same air quality standards on themselves. That is what we are talking about in that treaty.

This is not consistent with promoting economic growth. Furthermore, there is no scientific consensus. Most importantly it is unfair. Personally, these circumstances make me very hesitant to support fast track and to restrict my ability to modify agreements entered into by this administration.

I cannot rationalize giving the Administration the authority to negotiate agreements with other countries when they refuse to negotiate domestic regulations with Congress.

Before I close, I want to stress that I understand the importance of trade agreements. I understand that Americans have much to gain by reducing foreign barriers. I do believe fast track is necessary for practically negotiating multilateral agreements.

I want to point out, however, that many of my constituents in the State of Wyoming have grave reservations about expanding NAFTA. Two of the largest sectors of Wyoming's economy, agriculture and energy, are in direct competition with Canadian producers. While our Nation as a whole stands to benefit from increased market access in Europe, South America, and Asia—

my constituents need attention focused on unfair import competition from NAFTA.

This problem is most apparent in our northern tier States. The Senator from North Dakota, Senator DORGAN, has clearly presented the unfair practices faced by our wheat and barley growers. United States food manufacturers import over \$200 million per year in Canadian wheat—nearly all of which is sold by the Canadian state trading board.

Cattle imports from Canada have also flooded our market. While national meat import levels have remained fairly stable, live imports from Canada into the Northern States have increased by over 100 percent since 1994. They have been especially unwelcome in a buyers' market that is saturated by oversupply and restricted by packer concentration. These Canadian imports exacerbated prices that were already down by over 40 percent.

Most recently, the independent oil producers in my State, who already face stringent regulations and substantial Federal taxation, are now competing with 130,000 barrels per day of Canadian crude that is being pumped into the region through a new pipeline. Wyoming's posted sour crude prices have plummeted from over \$19 per barrel in 1996 to just \$14 per barrel this year.

Needless to say, many of my Wyoming constituents feel they are getting the raw end of free trade. Most of them are people who deeply believe in fair and open trade, but they have real reservations about expanding agreements they don't feel are fair.

I will conclude by stressing that it is good for the administration to set its sights on foreign markets, but they must also pay attention to what is happening at home. There is no reason to open up foreign markets while you are closing down your businesses by strangling them with regulations.

We need to inject a standard of reasonableness in our environmental policy. The issues of job growth, trade, and domestic regulation are linked. I would like to see more consistency in our policy on economic growth.

I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska [Mr. MURKOWSKI], is recognized.

WARD VALLEY

Mr. MURKOWSKI. Mr. President, I would like to address the issue of low-level waste in this country and the issue of Ward Valley. California is the first State to site a low-level waste facility under legislation passed by Congress which granted States with the authority and responsibility for low-level waste. Low-level radioactive waste is produced from cancer treatments, medical research, industrial activities, and scientific research. In the